

COUNTY OF FAIRFAX, VIRGINIA

**SPECIAL PERMIT RESOLUTION OF THE BOARD OF ZONING APPEALS
REVISED 6/22/16**

BOARD OF TRUSTEES OF ST. ANDREW'S EPISCOPAL CHURCH, SPA 81-S-044-03 Appl. under Sect. 3-103 of the Zoning Ordinance to amend SP 81-S-044, previously approved for a church and child care center, to permit the addition of land area. Located at 6509 and 6511 Sydenstricker Rd., Burke, 22015, on approx. 9.43 ac. of land zoned R-1. Springfield District. Tax Map 88-2 ((1)) 5 and 6. Mr Smith moved that the Board of Zoning Appeals adopt the following resolution:

WHEREAS, the captioned application has been properly filed in accordance with the requirements of all applicable State and County Codes and with the by-laws of the Fairfax County Board of Zoning Appeals; and

WHEREAS, following proper notice to the public, a public hearing was held by the Board on June 8, 2016; and

WHEREAS, the Board has made the following findings of fact:

1. The applicant is the owner of the land.
2. The present zoning is R-1.
3. The area of the lot is 9.43 acres of the combined lots.
4. There is a letter of support, and no opposition from any surrounding property owners.
5. The applicant has read, understands, and concurs with the proposed development conditions.

AND WHEREAS, the Board of Zoning Appeals has reached the following conclusions of law:

THAT the applicant has presented testimony indicating compliance with the general standards for Special Permit Uses as set forth in Sect. 8-006 and the additional standards for this use as contained in the Zoning Ordinance.

NOW, THEREFORE, BE IT RESOLVED that the subject application is **APPROVED** with the following limitations:

1. This approval is granted to the applicant only, Board of Trustees of St. Andrew's Episcopal Church, and is not transferable without further action of this Board, and is for the location indicated on the application, 6509 & 6511 Sydenstricker Road, consisting of 9.43 acres, and is not transferable to other land.
2. This Special Permit is granted only for the purpose(s), structures and/or use(s) indicated on the special permit plat, "Special Permit Plat, St. Andrew's Episcopal Church," originally prepared by Ted Britt, dated January 28, 2016.

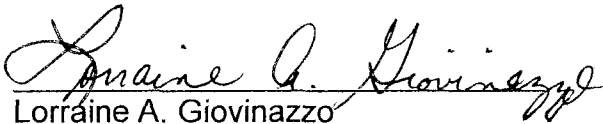
3. A copy of this Special Permit and the Non-Residential Use Permit SHALL BE POSTED in a conspicuous place on the property of the use and be made available to all departments of the County of Fairfax during the hours of operation of the permitted use.
4. This Special Permit Amendment is subject to the provisions of Article 17, Site Plans. Any plan submitted to the Department of Public Works and Environmental Services (DPWES) pursuant to this special permit shall be in substantial conformance with these conditions. Minor modifications to the approved special permit may be permitted pursuant to Par. 4 of Sect. 8-004 of the Zoning Ordinance.
5. The hours of operation for the church shall be as required for normal church activities.
6. The hours of operation for the child care center shall be from 8:00 A.M. to 2:00 p.m.
7. The maximum enrollment for the child care center shall be ninety-nine (99).
8. The transitional screening and barrier requirement shall be modified to allow the existing trees to remain where possible and supplemental screening provided as determined by the Director of the Department of Environmental Management.
9. Any new lighting shall be provided in accordance with the Performance Standards contained in Part 9 (Outdoor Lighting Standards) of Article 14 of the Zoning Ordinance.
10. The portion of the building in which the classrooms and nursery areas are located shall be acoustically treated to achieve ambient noise levels no higher than 45 dBA Ldn.
11. The portion of the play area not shielded from Old Keene Mill Road by the proposed building, shall be shielded by berms or acoustical fencing not less than six (6) feet in height which is architecturally solid and flush with the ground or take such other measures in order to achieve maximum exterior noise levels of 65 dBA Ldn as imposed by DPWES.

These conditions incorporate and supercede all previous conditions. This approval, contingent on the above-noted conditions, shall not relieve the applicant from compliance with the provisions of any applicable ordinances, regulations, or adopted standards. The applicant shall be responsible for obtaining the required Non-Residential Use Permit through established procedures, and this special permit shall not be valid until this has been accomplished.

Pursuant to Sect. 8-015 of the Zoning Ordinance, this special permit amendment shall take effect upon adoption of a resolution of approval by the Board of Zoning Appeals.

Mr. Hammack seconded the motion, which carried by a vote of 5-0. Mr. Hart recused himself from the hearing. Ms. Theodore was absent from the meeting.

A Copy Teste:

A handwritten signature in cursive script, reading "Lorraine A. Giovinazzo". The signature is written in dark ink and is positioned above the printed name.

Lorraine A. Giovinazzo
Clerk to the Board of Zoning Appeals

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12. Right-of-way dedication shall be provided alongside Sydenstricker Road as determined by the Director of Environmental Management at the time of site plan review. Road improvement shall be provided alongside Sydenstricker Road as required by the Director of Environmental Management in accordance with the Site Plan Ordinance and subject to any appeal rights of the applicant.

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